

REMARKS/ARGUMENTS

Claims 2-14 remain pending in this application. Claim 1 has been canceled without prejudice or disclaimer.

Priority

Applicants appreciate the Examiner's acknowledgment of the claim for priority and safe receipt of the priority document.

Specification

Claims 5 and 10 were objected to because of certain informalities as set forth in numbered paragraph 1 of the Action. These claims have been amended as suggested by the Examiner to overcome these objections.

35 U.S.C. §112

Claim 3 was objected to under 35 U.S.C. §112 as having insufficient antecedent basis for the limitation "the encrypted key information shared with said output unit" in line 9. Claim 3 has been amended to overcome this objection.

35 U.S.C. §§102 and 103

Claims 1-4, 7 and 10 stand rejected under 35 U.S.C. §102(e) as being anticipated by Graunke (U.S. Pub. No. 2003/0005285). Claims 5, 6, 13 and 14 stand

rejected under 35 U.S.C. §103(a) as being unpatentable over Graunke in view of Hoffman (U.S. Patent No. 6,324,288). Claims 8 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Graunke in view of Van Eck (U.S. Patent No. 4,669,117) and claims 9 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Graunke in view of Virga (U.S. Patent No. 5,321,749). These rejections are traversed hereafter.

Patentability of Claims

The present invention is directed to an apparatus and method for distributing the digital content from a digital content distributing apparatus to an information processing apparatus and outputting the distributed digital content by an output unit. More specifically, the invention relates to such an apparatus and system whereby the data is only partially encrypted whereby an image or sound file is visibly recognizable or audible but of such quality that a copy would be of little value. Thus, with the present invention, when the digital content is a content outputted from an outputting device to be distributed to an audience, by display of images or reproduced music, if there is no authorized decryption key found, part of the content is encrypted before being outputted. See claims 2, 3 and 4.

When the target of the data content output is a display device, the part of the content to be encrypted is performed by encrypting a line, column, or part of a prescribed pixel. See claims 8, 9, 11 and 12.

Data format for image or music content requires a unique data structure. When such data structure is ignored and if a data content file is encrypted from the beginning to an end of the data file, the content of the file cannot be decrypted because the content decoder cannot interpret the encrypted data at all. Accordingly, the content of the data file cannot be viewed or heard at all. In order to make it possible for at least part of the data content of a file to be heard or viewed without permitting hearing or viewing of the entire data file, the present invention adopts a format which encrypts part of the data structure in units of data structure so as to avoid destruction of the data structure. Accordingly, individual portions of the data structure can be viewed or heard without permitting viewing or hearing of the entire data structure. Thus, the present invention provides an apparatus and method which provides only a display of the data content partly encrypted unless a user has an authorized encryption key for information when the content output device outputs a content such as an image display or reproduced music. See claims 5, 6 and 7.

By this Amendment, claim 1 has been canceled and the remaining claims have been amended to not only overcome the Examiner's formal objections but also to further clarify Applicants' invention and more particularly define over the prior art.

With respect to the prior art cited in the rejection of the claims, the Graunke '285 reference describes a system in which the first encryption key decrypts an encrypted digital data while the second decryption key re-encrypts said decrypted data. Graunke, however, does not disclose the important feature of the present

invention in which only part of the data content is encrypted so that only part of the image and/or sound content of the file is seen or heard but the entire content of the data file may not be seen or heard.

The Hoffman '288 patent was cited as teaching "distributing a variety of content including plaintext." The "plaintext" as used in the present invention does not define a data content of text solely constituted by characters, and in this context, is different from audio, video, image data or the software, but rather defines a plaintext (i.e., unencrypted code) that is not applied with encryption in the art of encryption. Moreover, the Hoffman reference also fails to disclose a feature of the present invention that provides a constitution which outputs partly encrypted content for the purpose of preventing visualizing and/or hearing of the entirety of the data content.

The Van Eck '117 patent was cited as teaching "encrypting videos by line" and the Virga '749 patent was cited as teaching "encrypting video by pixel." Van Eck discloses a data encryption performed by line replacement of the display data, while Virga discloses a data encryption technique attained by replacing the display data in unit of pixel. However, neither of these references discloses the features of the present invention that provides a constitution which outputs partly encrypted content for the purpose of preventing visualizing and/or hearing of the entirety of the data content.

Accordingly, it is submitted that the claims, as amended, patentably distinguish over the prior art, taken either alone or in combination.

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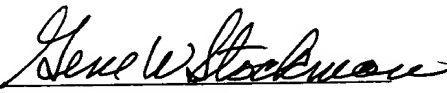
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Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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